

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WISCONSIN**

**ESSOCIATE, INC.,**

**Plaintiff,**

V.

**NEVERBLUE MEDIA, INC.,**

**Defendant.**

**Case No.: 3:11-cv-00714-WMC**

## DECLARATION

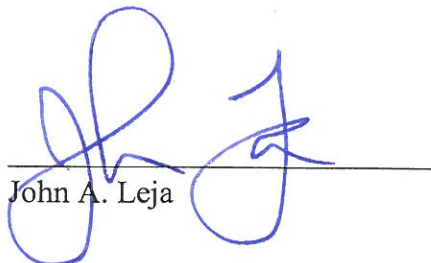
I, John Leja, declare under penalty of perjury under the laws of the United States of America, that:

1. I am over the age of 18 and have personal knowledge of the statements made in this Affidavit, and if called to testify as a witness, I could testify competently thereto.
2. I am lead counsel of record for Defendant Neverblue Media, Inc. (“Neverblue”).
3. On April 25, 2012, I participated in a meet and confer conference with Plaintiff Essociate, Inc.’s (“Essociate”) counsel of record regarding discovery issues. Robyn Ast-Gmoser and I represented Neverblue during the conference. Derek Linke represented Essociate during the conference.
4. Counsel for Essociate stated that the contentions satisfied the Court’s Pretrial Conference Order and were consistent with infringement contentions that are typically filed in this District.
5. Despite their representation that Essociate’s infringement contentions were adequate, counsel for Essociate promised to “supplement” the infringement contentions with further detail.

6. More than two weeks have elapsed since counsel for Essociate promised to supplement the infringement contentions with further detail, but no supplementation has been received as of May 10, 2012.

I declare under penalty of perjury under the laws of the United States that the foregoing statements are true and correct.

Dated: May 10, 2012

  
John A. Leja